

REMARKS

This response is being submitted within the three-month shortened statutory period that was set for responding to the outstanding Office Action. Therefore, an extension of time is not needed.

Hereinafter, the claims that are pending prior to the entry of the amendments in this response are called "currently pending claims." This response amends currently pending Claims 90-103 and cancels currently pending Claims 1-8, 42-56, 72-75, 80-84, and 108-122 without prejudice or disclaimer. Upon amendment, the above-identified U.S. patent application will have five independent claims (currently pending Claims 9, 11, 13, 15, and 17) and 56 total claims (currently pending Claims 9-18, 20-38, 76-79, and 85-89; currently amended Claims 90-103; and currently pending Claims 104-107). The Applicants previously paid for up to six independent claims and 103 total claims. Therefore, no fee is due for excess claims.

This response amends the currently pending claims to bring the application into condition for allowance or into better condition for appeal.

Currently pending Claims 9-18, 20-38, 76-79, and 85-89 are allowed in the outstanding Office Action; and currently amended Subclaims 90-103 and currently pending Subclaims 104-107 are allowable at the very least because these subclaims are directly or indirectly dependent on an allowed base claim. In addition, currently amend-

ed Subclaims 90-103 and currently pending Subclaims 104-107 (as well as all of the other subclaims) are novel and nonobvious over the prior art because the prior art does not teach or suggest the particular features that are claimed in these subclaims.

In item 1 on page 2 of the Office Action, the Examiner objects to currently pending Claim 1 because, according to the Examiner, the first formula A on page 9 of the previous response should be underlined, not crossed out. The Applicants respectfully disagree with this objection. Furthermore, this objection is now moot and should be withdrawn because currently pending Claim 1 is being cancelled without prejudice or disclaimer.

In item 2 on page 2 of the Office Action, the Examiner rejects currently pending Claim 108 for being indefinite because currently pending Claim 108 is dependent on Claim 39, which was cancelled. This rejection is now moot and should be withdrawn because currently pending Claim 108 is being cancelled without prejudice or disclaimer.

In items 3-4 on pages 2-3 of the Office Action, the Examiner rejects currently pending Claims 1, 4, 7, 72-75 and 80-82 for allegedly being anticipated by a newly cited abstract--CAPLUS 1992: 407540. The Applicants respectfully disagree with this rejection. Furthermore, this rejection is now moot and should be withdrawn because currently pending Claims 1, 4, 7, 72-75 and 80-82 are being cancelled without prejudice or disclaimer.

Next, on December 10, 2003, the Applicants filed via first-class U.S. mail an Information Disclosure Statement (IDS) with a Certificate of Mailing dated December 10, 2003. The Examiner is respectfully requested to consider this IDS on the merits because it was filed before the issuance of a Final Rejection or a Notice of Allowance, and because the last paragraph on page 1 of the IDS

authorizes the Examiner to charge our deposit account for any fee that may be due in order to have to IDS considered on the merits. Thus, in the next Office Action, the Examiner is respectfully requested to note in the record that this IDS has been considered on the merits.

In view of the foregoing, favorable reconsideration of the application is respectfully requested. It is submitted that the claims of record are in condition for allowance. Allowance of the claims at an early date is solicited.

This response amends currently pending Claims 90-103 and cancels currently pending Claims 1-8, 42-56, 72-75, 80-84, and 108-122. The amendments and cancellations that are described in the preceding sentence were done to improve the wording of the claims and/or to more fully claim the Applicants' invention. The amendments and cancellations that are described in the first sentence of this paragraph shall not be considered necessary to overcome the prior art, shall not be considered necessary to overcome rejections under 35 U.S.C. § 112, and shall not be considered necessary to overcome any other rejections or objections.

The Applicants reserve the right to seek protection for any unclaimed subject matter either subsequently in the prosecution of the present case or in a divisional or continuation application.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to Deposit Account No. 12-0415. In particular, if this Response is not timely filed, then the Commissioner is authorized to treat this Response as including a petition to extend the time period pursuant to 37 C.F.R. § 1.136(a) requesting an extension of time of the number of months necessary to make this Response timely filed; and the petition fee

due in connection therewith may be charged to deposit account No. 12-0415.

I hereby certify that this correspondence (with all of the indicated enclosures) is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: Commissioner for Patents, Mail Stop AF, P.O. Box 1450, Alexandria, VA 22313-1450 on

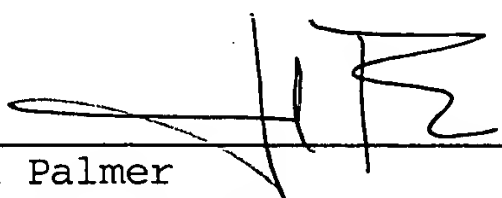
April 8, 2004
(Date of Deposit)

JOHN PALMER
(Name of Applicant, Assignee
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(Signature)

(Date)

Respectfully submitted,


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